

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – Disciplinary action against Sri Md.Tajuddin, S.I. (Retired) Hyderabad – Further action dropped – Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 274

Dated:15-2-2010

Read the following:

1. From the C.P., Hyderabad, Lr.No.L&O/B6/415/2007, dt.27.6.2007.
2. Govt Memo.No.18761/Ser.II/A2/2007, dated:7-7-2007 and 2-12-2007
3. From the CP, Hyderabad, Lr.No. L & O/ B6/415/2007, dt.4-1-2010

ORDER:

In the reference 1st read above, The C.P., Hyderabad, has furnished draft statement of imputation intended to Mohd. Tajuddin, S.I. (retired) along with connected documents for initiating action against him under Rule 9 (2) of AP Revised Pension Rules, for the charge of marrying 4 women which is contrary to Conduct Rules.

2 In the reference 2nd read above, the Government have requested the Commissioner of Police, Hyderabad, to state, whether he has recovered the pension already paid to Mohd. Tajuddin, S.I. (retired), Hyderabad, and also to furnish the proposal through the DGP, AP, Hyderabad. However no such proposal is received from the DGP, AP, Hyderabad.

3. In the letter 3rd read above, the Commissioner of Police, Hyderabad, has stated that while disposing the OA No.217/2005 the Hon'ble APAT, Hyderabad, in its orders dated: 25-06-2009, has observed that:

“no charge memo has been served to the applicant till now. The counter also does not disclose whether any regular departmental enquiry is initiated against the applicant. Therefore, it is unjust on the part of the respondents to deny the pensioner benefits to the applicant without initiating any Departmental Enquiry, even after four years after the retirement of the applicant. Therefore, I am inclined to direct the respondents to release the pensionary benefits to the applicant, if there is no departmental enquiry pending against him and the pendency of the preliminary enquiry is no bar for the respondents to release the pensionary and other benefits. If any departmental enquiry is pending against him, the respondents are at liberty to pass appropriate orders by keeping in view the G.O.Rt.No.1097, Finance and Planning Department dated: 22-6-2000, giving reasons for the denial of the pensionary benefits. However, it is responsibility of the respondents to comply the interim orders passed by this Tribunal and release anticipatory pension in favour of the applicant, pending disposal of regular enquiry, if any.”

4. The Commissioner of Police, Hyderabad, has further stated that as per the observations of Hon'ble APAT read with Rule 9 (2) (b) (ii) of A.P. Revised Pension Rules, 1980, the Departmental proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment shall not be initiated in respect of the any event which took place more than four years before such institutions. In this case the individual was retired from service voluntarily on 29-2-2004, and the time limit prescribed in Rule 9 (2) (b) (ii) of AP Revised Pension Rule has already been elapsed and at this juncture it is not desirable to frame charges against him. The Commissioner of Police, Hyderabad, has, therefore, requested Government to issue early orders to drop further action in the matter i.e to drop disciplinary action against Md.Tajuddin, S.I. (Retired) in terms of Rule 9(1) of the A.P.Revised Pension Rules, 1980, as the time limit prescribed in Rule 9 (2) (b) (ii) of AP Revised Pension Rule has already been elapsed.

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5. Government after careful examination matter hereby drop further action against Sri Md.Tajuddin, S.I. (Retired), Hyderabad, in terms of Rule 9(1) of the A.P. Revised Pension Rules, 1980, as the time limit prescribed in Rule 9 (2) (b) (ii) of AP Revised Pension Rule has already been elapsed. Further the individual is eligible for terminal benefits due to him, from the date of issue of this order, as per G.O.1034 (Fin & Plg) dated: 9-6-2000.

6. The Commissioner of Police, Hyderabad, is requested to take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Commissioner of Police, Hyderabad,
Copy to
The Director General of Police, Andhra Pradesh, Hyderabad
Sc/Sf

//Forwarded :: By order//

SECTION OFFICER